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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

10 CREATIVE INTEGRATED  
11 SYSTEMS, INC.,

12 Plaintiff,

13 v.

14 NINTENDO OF AMERICA INC.;  
15 NINTENDO CO., LTD.; MACRONIX  
16 AMERICA, INC.; and MACRONIX  
INTERNATIONAL CO., LTD.

17 Defendants.

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Case No. 10-CV-2735 AHM (VBK)

**FINAL JUDGMENT**

Judge: Hon. A. Howard Matz

Based upon the Parties' Joint Stipulation of Non-Infringement and Proposed Covenant not to Sue with Respect to U.S. Patent No. 5,812,461 ("the '461 patent), and based on the previous "Order Approving Joint Stipulation of Non-Infringement With Respect To U.S. Patent No. 5,241,497 and Judgment of Non-Infringement of U.S. Patent No. 5,241,497," said Joint Stipulation of Non-Infringement and Proposed Covenant not to Sue with Respect to the '461 patent is **APPROVED**, and **IT IS HEREBY ORDERED AND ADJUDGED**:

1. Final Judgment with prejudice is hereby entered in favor of the Defendants and against the Plaintiff. By agreement of the Parties, this Final Judgment, as it relates to the '461 patent, shall not be appealable.

2. The issues of, and any motions, petitions, or proceedings related to, the taxation of costs and the potential entitlement to fees pursuant to 35 U.S.C. Sec. 285 or on any other basis, is deferred until 28 days after the conclusion of any appeal of this Final Judgment as it relates to the '497 patent. In the event no appeal is taken from this Final Judgment as it relates to the '497 patent, any petition or motion for costs and/or fees as relates to either patent shall be filed 28 days after the last day for filing a timely notice of appeal.

## IT IS SO ORDERED.

Date: July 23, 2012

A. Haasell Hall

Honorable A Howard Matz  
UNITED STATES DISTRICT JUDGE